.1407 CLASSIFICATION/DISTRIBUTION OF SOLID WASTE COMPOST PRODUCTS

(a) Compost shall not be applied to the land or sold or given away if the concentration of any metal exceeds the concentration in 40 CFR 503.13(b)(3) [See Table 1 below], unless the concentration of all metals are less than the values in 40 CFR 503.13(b)(1) and records are maintained to show compliance with the cumulative and annual metal levels in 40 CFR 503.13(b)(2) and (4).

Table 1

Metals	Concentration mg per kg	
Arsenic Cadmium Copper Lead Mercury	41 39 1500 300 17	
Nickel Selenium Zinc	420 36 2800	

(b) Solid waste compost shall be classified based on Table 2:

Table 2

Grade	Manmade Inerts % dry wt. of inerts	Pathogen Reduction	Metal Concentration
A B	<_6 > 6	PFRP NA	Table 1 40 CFR 503.13(b)(1)

- (c) Man made inerts shall not exceed 1 inch in size.
- (d) Distribution of the defined grades shall be as follows:
 - (1) Grade A compost shall have unlimited, unrestricted distribution. This product may be distributed directly to the public;
 - (2) Grade B compost shall be restricted to distribution for land and mine reclamation, silviculture, and agriculture (on non-food chain crops) projects; and
 - (3) Compost or mulch that is produced at a Type 1 facility and that contains minimal pathogenic organisms, is free from offensive odor, and contains no sharp particles that would cause injury to persons handling the compost, shall have unrestricted applications and distributions if directions are provided with the compost product.
- (e) Solid waste compost products may not be distributed or marketed until the permittee has provided adequate test data to the Division as outlined in Rule .1408 of this Section. Within 30 days of receipt of the test data, the Division shall approve or deny the distribution and marketing of the product

based upon the compost classification and distribution scheme. As long as the test data required in Rule .1408 of this Section continues to verify that compost is produced to the specifications of this Rule, the Division's approval to distribute the compost shall be ongoing.

- (f) The applicant is responsible for meeting any applicable requirements of the North Carolina Department of Agriculture, Fertilizer Section concerning the distribution of this product.
- (g) If the owner intends to distribute the product, the owner shall provide instructions to the user on any restrictions on use and recommended safe uses and application rates. The following information shall be provided on a label or an information sheet and a copy of the label or information sheet shall be submitted to the Solid Waste Section:
 - (1) Classification grade as outlined in Paragraph (d) of this Rule;
 - (2) Recommended uses;
 - (3) Application rates;
 - (4) Restrictions on usage; and
 - (5) Total N (for products containing sludge).

History Note: Authority G.S. 130A-309.11; Eff. December 1, 1991; RRC objection Eff. April 18, 1996 due to lack of statutory authority; Amended Eff. June 1, 1996.